



# City of Loma Linda Official Report

Karen Gaio Hansberger, Mayor  
Floyd Petersen, Mayor pro tempore  
Robert Christman, Councilmember  
Stan Brauer, Councilmember  
Robert Ziprick, Councilmember

COUNCIL AGENDA: October 12, 2004

TO: City Council

VIA: Dennis R. Halloway, City Manager *[Signature]*

FROM: Pamela Byrnes-O'Camb, City Clerk *[Signature]*

SUBJECT: Council Bill #R-2004-47 – Adopt finding that the adopted procedures were followed and certify the election results of the Project Area Committee (PAC)

## RECOMMENDATION

It is recommended that the City Council adopt Council Bill #R-2004-47.

## BACKGROUND

The City Council authorized proceeding with an amendment to the Redevelopment Plan to extend the Agency's eminent domain powers to residential uses. Formation of a Project Area Committee pursuant to adopted procedures is a preliminary step in the process. All residents and businesses were notified of an information meeting and meeting to elect Project Area Committee members.

Within 30 days of the meeting at which PAC members were elected, the City Council is requested to certify the results of the PAC election.

The candidates elected in each representative category meet the eligibility requirements to serve in their respective capacities on the PAC, pursuant to the Procedures. No challenges were received pertaining to the formation of the PAC or the election process.

## ANALYSIS

Formation of a Project Area Committee is required in order to amend the Redevelopment Plan.

## ENVIRONMENTAL

Not applicable.

## FINANCIAL IMPACT

None

Attachment: Council Bill #R-2004-47

## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA REJECTING ALL CHALLENGES TO THE PROJECT AREA COMMITTEE FORMATION AND ELECTION OF THE PROJECT AREA COMMITTEE FOR THE PROPOSED AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE LOMA LINDA REDEVELOPMENT PROJECT; FINDING THE PAC FORMATION AND ELECTION WERE CONDUCTED IN GOOD FAITH AND IN SUBSTANTIAL COMPLIANCE WITH APPLICABLE LEGAL REQUIREMENTS AND THE PROCEDURES; ACCEPTING THE PRESENTATION FROM THE CITY CLERK OF THE PAC ELECTION RESULTS; FINDING ALL RELEVANT PORTIONS OF THE PROCEDURES REGARDING THE ELECTION WERE FOLLOWED; CERTIFYING THE RESULTS OF THE PAC ELECTION; AND APPROVING THE FORMATION OF THE PROJECT AREA COMMITTEE IN CONNECTION WITH SAID AMENDMENT

WHEREAS, the Loma Linda Redevelopment Agency ("Agency") is preparing the proposed Amendment to the Redevelopment Plan for the Loma Linda Redevelopment Project ("Amendment"); and

WHEREAS, the Agency elected to establish a project area committee ("PAC") in connection with the Amendment pursuant to Section 33385.3 of the California Community Redevelopment Law (the "CCRL," which is found at Health and Safety Code Section 33000, *et seq.*); and

WHEREAS, on September 14, 2004, the City Council held a duly noticed public hearing at which time the guidelines and procedures for the formation, election, and operation of the PAC for the Amendment were considered and, by its Resolution No. 251, of even date, the City Council subsequently adopted the *Procedures for Formation and Election of the Project Area Committee for the Redevelopment Plan Amendment to Add Eminent Domain For Residentially Used Properties within the Loma Linda Redevelopment Project Area* ("Procedures"); and

WHEREAS, acting in good faith to achieve full compliance and/or in substantial compliance with the Procedures and the requirements of CCRL Section 33385, *et seq.* and Government Code Section 65090(a), the Agency publicized the opportunity to serve on the PAC and noticed the meetings conducted by or on behalf of the Agency or the City Council relative to the formation and selection of the PAC, and provided written notice via first class mail to all residents, businesses and community organizations within the Project Area at least 30 days prior to the formation of the PAC; and

WHEREAS, the Agency conducted a full informational meeting on September 16, 2004, to explain the establishment of, function of and opportunity to serve on the PAC; and

WHEREAS, the PAC election was held on September 21, 2004, and votes were cast by members of the voting categories present to elect members to serve on the PAC; and

WHEREAS, the City Clerk presents to the City Council the results of the PAC election and the candidates and results of the election are as shown on Attachment No. 1, attached hereto and made part hereof, which candidates were elected by their representative groups to serve on the PAC; and

WHEREAS, the candidates elected in each representative category meet the eligibility requirements to serve in their representative capacity on the PAC as set forth in the Procedures; and

WHEREAS, no challenges to the PAC formation and election process were received by City Council within 15 calendar days after said election; and

WHEREAS, the City Council desires to accept the results presented and certify the PAC members elected.

NOW, THEREFORE, the City Council of the City of Loma Linda does hereby resolve as follows:

**Section 1**        The foregoing recitals are hereby incorporated by reference and made a part hereof.

**Section 2**        The City Council finds all relevant portions of the Procedures and the CCRL regarding the election were followed in the formation and election of the PAC.

**Section 3**        The City Council finds the PAC formation and election were conducted in good faith and in substantial compliance with applicable legal requirements and the Procedures.

**Section 4**        The City Council accepts from the City Clerk the presentation of the PAC election results.

**Section 5**        The City Council certifies the results of the PAC election.

**Section 6**        The City Council hereby approves the formation of the Project Area Committee in connection with the Amendment.

**Section 7**        The City Council directs the Agency to consult with and obtain advice of the PAC pursuant to CCRL Sections 33385, and 33386 through 33388.

**Section 8**        The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 12<sup>th</sup> day of October 2004 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

ATTEST:

---

Karen Gaio Hansberger, Mayor

---

Pamela Byrnes-O'Camb, City Clerk

**ATTACHMENT NO. 1**

**(Results of PAC Election Presented by City Clerk)**

**Residential Tenant**

Rebecca Ludwig  
Darla Stern  
Hector Iniguez

**Residential Owner**

Lem Leialoha  
Jim McIntosh

**Business Property Owner**

Stephanie Delgado

**Small Business Owner**

Robert Stewart